

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:12-cr-127
v.)	
)	COLLIER / LEE
CARLOS FALLINS)	

REPORT AND RECOMMENDATION

Upon Defendant's unopposed, sealed motion for a competency hearing [Doc. 33], the Court set a mental competency hearing, however, Defendant has now filed a waiver of any competency hearing [Doc. 41]. Given the waiver and the findings contained in the previously filed forensic report [Doc. 20]¹, I **RECOMMEND** that Defendant again be found competent to understand the nature and consequences of the proceedings against him, able to assist in his defense, and competent to stand trial.

Under the circumstances, the time period for any party to serve and file objections to this report and recommendation **shall be shortened to three days** after being served with a copy of this report and recommendation. Failure to object in accordance with Fed. R. Crim. P. 59 waives a party's right to review.

SO ORDERED:

ENTER.

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE

¹ After Defendant was evaluated, he filed a waiver, and the Court entered an Order finding Defendant was competent to understand the nature and consequences of the proceedings against him, able to assist in his defense, and competent to stand trial [Doc. 22].

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